

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,)	Application No. NG-0063/
on its own Motion, seeking to)	PI-173
investigate and refine filing)	
requirements and establish)	PROGRESSION ORDER NO. 1
further guidelines for)	SEEKING COMMENT AND
prosecution of general rate)	SCHEDULING WORKSHOP
applications.)	
)	Entered: December 7, 2010

BY THE COMMISSION:

The Commission, on its own motion, opened this docket seeking to investigate and establish guidelines for the prosecution of general rate applications filed pursuant to Neb. Rev. Stat. § 66-1825 (Reissue 2009) in order to increase efficiencies and reduce costs. The Commission sought written comments on several issues. Comments were filed on behalf of NorthWestern Energy; SourceGas Distribution, LLC; the Public Advocate; and Black Hills Energy. On November 1, 2010, a workshop was held.

Based upon the written comments and discussion during the workshop, the Commission releases for comment a proposed standard rate case schedule attached hereto as Appendix A and list of filing requirements attached hereto as Appendix C.

The proposed schedule is based upon the statutory 210-day time limit. Specific dates would be determined during a planning conference and any necessary adjustments would be made. It further incorporates limits on discovery and specifically addresses the content of any possible settlement agreements. Additionally, general instructions are also included. A sample schedule utilizing the proposed planning conference order is attached as Appendix B.

The list of proposed filing requirements contains current filing requirements with additions from previous Commission orders. Furthermore, we looked to the requirements from Kansas and Iowa for guidance. Notable additions include specifics regarding construction work in progress, affiliate transactions and the requirement that a fully-allocated cost of service study be provided. Also, applicants would be required to file not only workpapers but also available source documents used in the compilation of the filing. The proposed filing requirements would also mandate that information be submitted in a particular format for ease of review and consistency.

These proposals are intended for discussion purposes and will continue to be refined and amended. Parties are encouraged to offer specific alternatives in their comments.

Application No. NG-0063/PI-173
Progression Order No. 1

Page 2

All interested parties should file one (1) original and eight (8) comment copies on or before **3:00 p.m. on January 10, 2011**. Interested parties should also send one (1) electronic copy by email to **rose.price@nebraska.gov**.

The Commission further finds that a workshop shall be scheduled for **January 19, 2011, at 1:30 p.m.** in the Commission Hearing Room, 300 the Atrium, 1200 N Street, Lincoln, Nebraska. Parties wishing to participate by telephone should dial 888-820-1398 and enter access code 4207969#.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the proposed planning conference order and filing requirements are released for comment.

IT IS FURTHER ORDERED that interested parties should file one (1) original and eight (8) comment copies on or before **3:00 p.m. on January 10, 2011**. Interested parties should also send one (1) electronic copy by email to **rose.price@nebraska.gov**.

IT IS FINALLY ORDERED that a workshop shall be scheduled for **January 19, 2011, at 1:30 p.m.** in the Commission Hearing Room, 300 the Atrium, 1200 N Street, Lincoln, Nebraska. Parties wishing to participate by telephone should dial 888-820-1398 and enter access code 4207969#.

MADE AND ENTERED at Lincoln, Nebraska, this 7th day of December, 2010.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Red Johnson
Anne C. Boyle
Tim Schram

Chairman

Gerald Hup

ATTEST:

Executive Director

Theresa J. [Signature]

Application No. NG-0063/PI-173
Progression Order No. 1

Page 1

APPENDIX A

In the Matter of _____) Application No. NG-00__
)
)
) PLANNING CONFERENCE ORDER
) AND HEARING NOTICE
)
) Entered: DATE
)

BY THE COMMISSION:

On DATE, APPLICANT filed an application seeking approval of a general rate increase. Petitions for Formal Intervention were filed by PARTIES. An order granting interventions was entered on DATE.

In order to process this filing, a planning conference was held in this matter on DATE. Parties discussed the procedural schedule for the application including, but not limited to, discovery and filing deadlines as well as hearing dates and briefing schedules.

As a result of the planning conference, several issues were discussed. Therefore, this order serves to memorialize those decisions and to provide a timeline for proceeding in this docket.

General Instructions and Deadlines

A. General Instructions. All evidence to be offered at hearing, objections thereto, and responses to those objections shall be filed by the dates set forth herein. A party offering prefiled testimony or exhibits as evidence at the hearing shall provide a copy to the court reporter. All prefiled exhibits must be numbered. All pages of each exhibit shall be numbered. All parties should eliminate argumentative, cumulative, or otherwise objectionable passages in testimony they intend to file. Parties are encouraged to limit objections and to enter into stipulations in order to facilitate the presentation of evidence and completion of this proceeding.

B. Objections. All objections to prefiled evidence shall specifically and succinctly identify the testimony or exhibit to which the objection is directed and the specific objection raised regarding each such portion of the testimony or exhibit.

Application No. NG-0063/PI-173
Progression Order No. 1

Page 2

APPENDIX A

Failure to comply with the deadlines for objections will result in waiver of the objections.

C. Service. An official service list for this matter is attached hereto as Appendix A. Service may be accomplished through electronic mail using the addresses listed in Appendix A. Parties are responsible for maintaining an accurate service list. All parties should provide an electronic copy of any discovery requests and responses via electronic mail or cd rom to the Department. However, such discovery requests and responses shall not be filed with the Commission. Such discovery requests and responses shall not be part of the official record unless offered and accepted as exhibits during the hearing on the application. If using electronic mail, parties should send to rose.price@nebraska.gov.

Parties may meet filing deadlines outlined herein by sending an electronic copy of the filing via electronic mail to rose.price@nebraska.gov so long as all parties are served via electronic mail contemporaneously with the email filing and a hard copy is received by the Commission within three (3) days of the email filing.

D. Discovery. All discovery responses are due within ten (10) business days of service, unless otherwise agreed to by the Parties. All parties are limited to no more than 200 discovery requests unless prior approval is received from the Hearing Officer. Parties should reference Nebraska Discovery Rules for guidance as to the conduct of discovery. Should this order conflict with any provision of the Nebraska Discovery Rules, this order controls. Parties should make efforts to resolve any discovery disputes.

E. Deadlines. The following schedule is hereby adopted (All deadlines are approximate. Actual dates will be substituted.):

Date	Event
Filing Date	Application Filed
Publication Date (w/in 3 business days of filing)	Notice of Application Published in Daily Record
30-days after publication	Intervention Deadline
w/in 35 days of Filing date	Planning Conference

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. NG-0063/PI-173

Page 3

Progression Order No. 1

APPENDIX A

60 days after filing date	Final date for discovery requests to be served by Intervenor on Applicant
10 days after service of final discovery requests	All discovery responses from Applicant due to Intervenor
5 days after due date for responses to Intervenor Discovery Requests	Deadline for Motions to Compel Responses by Applicant
15 days after deadline for responses to discovery requests	All Intervenor file direct testimony, exhibits, workpapers, and witness lists
90 days after filing date	Interim Rates Go Into Effect
After Intervenor Direct Filed	Town Hall Meetings
20 days after deadline for filing of Intervenor's direct testimony	Final date for discovery requests to be served by Applicant on Intervenor
10 days after service of final discovery requests	All discovery responses from Intervenor due Applicant
5 days after due date for responses to Applicant Discovery Requests	Deadline for Motions to Compel Responses from Intervenor
15 days after responses to discovery requests	All rebuttal testimony and exhibits filed by Applicant
10 Days after filing of rebuttal testimony	Written objections/Prehearing Motions
w/in 5 days of objections	Prehearing Conference/Any Oral Argument on Objections or Motions

Application No. NG-0063/PI-173

Page 4

Progression Order No. 1

APPENDIX A

140 Days after Filing Date	Hearing
w/in 5 days of the conclusion of the hearing	Deadline for receiving expedited transcript
10 Days after Hearing Transcript is available	Post Hearing Briefs Due
5 days after Post Hearing Briefs	Reply Briefs Due
190 Days after Filing Date	Order with delayed effective date released
10 Days after Order	Motions for Reconsideration and/or Clarification Due
210 Days after Filing Date	Any order on Motions and/or Final Order on Application becomes effective

F. Settlement. All parties are encouraged to cooperate and engage in negotiations; however, the conduct of negotiations does not relieve the parties of their obligation to meet filing deadlines. Parties need not identify in settlement agreements specific dollar values attached to specific issues. However, the Commission, in order to fulfill its obligation to ensure just and reasonable rates, discourages a purely generic settlement and would suggest that the parties use provisions of LB 658 [2009] for guidance as to the minimum information to be provided regarding any settlement.

G. Hearing Fee/Accommodations. The Applicant will arrange for a court reporter for the hearing on this matter and an expedited transcript will be provided no later than the date set forth in the schedule above. Therefore, the hearing fee of one hundred twenty-five dollars (\$125.00) for each half-day should be waived consistent with Commission policy. If daily transcripts are available, all parties shall be notified of the option and will be responsible for the cost of receiving one should they request it.

If auxiliary aids or reasonable accommodations are needed for attendance at the meeting, please call the Commission at (402) 471-3101. For people with hearing/speech impairments, please call the Commission at (402) 471-0213 (TDD) or the Nebraska Relay System at (800) 833-7352 (TDD) or (800) 833-0920

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application No. NG-0063/PI-173
Progression Order No. 1

Page 5

APPENDIX A

(Voice). Advance notice of at least seven days is needed when requesting an interpreter.

O R D E R

IT IS THEREFORE ORDERED that the deadlines and requirements set forth herein are hereby adopted in the above-captioned matter.

IT IS FURTHER ORDERED that Applicant has agreed to provide the court reporter for the hearing on this matter. Therefore, the hearing fee of one hundred twenty-five dollars (\$125.00) for each half-day shall be waived consistent with Commission policy.

IT IS FINALLY ORDERED that hearing on this matter will take place on **Date through Date, at Time** in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

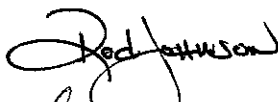


MADE AND ENTERED at Lincoln, Nebraska this ____th day of _____, 20__.

NEBRASKA PUBLIC SERVICE COMMISSION

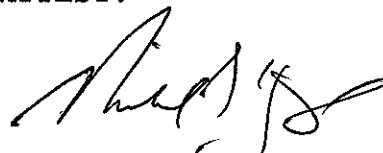
Chairman



COMMISSIONERS CONCURRING:

ATTEST:


Executive Director

//s// Frank E. Landis
//s// Gerald L. Vap

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Sun	Mon	Tue	Wed	Thu	Fri	Sat
JANUARY 2011						
2	3	4 GRIST	5	6	7	8
9	10	11 GRIST	12	13	14	15
16	17	18	19 GRIST	20	21	22
	HOLIDAY					
23	24	25 GRIST	26	27	28	29
30	31					

Sun	Mon	Tue	Wed	Thu	Fri	Sat
FEBRUARY 2011						
		1 GRIST APPLICATION FILED	2	3 NOTICE OF APPLICATION PUBLISHED	4	5
6	7	8 GRIST	9	10	11	12 NARUC Washington, DC
13 NARUC Washington, DC	14 NARUC Washington, DC	15 NARUC Washington, DC	16 NARUC Washington, DC	17	18	19
20	21 HOLIDAY	22	23 GRIST	24	25	26
27	28					

Sun	Mon	Tue	Wed	Thu	Fri	Sat
MARCH 2011						
		1 GRIST	2	3 30 DAYS AFTER FILING	4	5
6	7 INTERVENTIONS DUE	8 GRIST	9 PLANNING CONFERENCE	10	11	12
13	14	15 GRIST	16	17	18	19
20	21	22 GRIST	23	24	25	26
27	28	29 GRIST	30	31		

Sun	Mon	Tue	Wed	Thu	Fri	Sat
APRIL 2011						
					1 FINAL DATE FOR DISCOVERY REQUESTS FROM INTERVENORS	2 60 DAYS AFTER FILING
3	4	5 GRIST	6	7	8	9
10	11 DUE DATE FOR ALL DISCOVERY RESPONSES FROM APPLICANT	12 GRIST	13	14	15 DEADLINE FOR MOTIONS TO COMPEL RESPONSES	16
17	18	19 GRIST	20	21	22	23
24	25	26 GRIST ALL INTERVENORS FILE DIRECT TESTIMONY	27	28	29 HOLIDAY	30

Sun	Mon	Tue	Wed	Thu	Fri	Sat
MAY 2011						
1 90 DAYS AFTER FILING	2 INTERIM RATES GO INTO EFFECT	3 GRIST	4	5	6	7
8	9	10 GRIST	11	12	13	14
15	16 FINAL DATE FOR DISCOVERY REQUESTS FROM APPLICANT	17 GRIST	18	19	20	21
22	23	24 GRIST	25	26 RESPONSES TO DISCOVERY REQUESTS DUE FROM INTERVENORS	27	28
29	30 Holiday	31 120 DAYS AFTER FILING DEADLINE FOR MOTION TO COMPEL RESPONSES				

Sun	Mon	Tue	Wed	Thu	Fri	Sat
JUNE 2011						
			1 GRIST	2	3	4
5	6	7 GRIST	8	9	10	11
					DEADLINE TO FILE REBUTTAL TESTIMONY ETC.	
12	13	14 GRIST	15	16	17	18
19	20	21 GRIST	22	23	24	25
	WRITTEN OBJECTIONS AND PREHEARING MOTIONS		PREHEARING CONFERENCE AND ORAL ARGUMENT ON OBJECTIONS OR MOTIONS			
26	27	28 GRIST	29	30		
	HEARING ON APPLICATION	HEARING ON APPLICATION	HEARING ON APPLICATION	HEARING ON APPLICATION		

Sun	Mon	Tue	Wed	Thu	Fri	Sat
JULY 2011						
3	4 Holiday	5	6 GRIST	7	8 RECEIPT OF EXPEDITED TRANSCRIPT	9
10 160 DAYS FROM FILING	11	12 GRIST	13	14	15	16
17	18 POST-HEARING BRIEFS DUE	19	20	21	22	23
24	25 REPLY BRIEFS DUE	26 GRIST	27	28	29	30
31						

Sun	Mon	Tue	Wed	Thu	Fri	Sat
AUGUST 2011						
	1	2 GRIST	3	4	5	6
7	8	9 GRIST 190 DAYS AFTER FILING FINAL ORDER	10	11	12	13
14	15	16 GRIST	17	18	19 MOTIONS FOR RECONSIDERATION DUE	20
21	22	23 GRIST ORDER ON MOTIONS	24	25	26	27
28	29 210 DAYS AFTER FILING EFFECTIVE OF FINAL ORDER	30 GRIST	31			

Sun	Mon	Tue	Wed	Thu	Fri	Sat
SEPTEMBER 2011						
				1	2	3
4	5 Holiday	6	7 GRIST	8	9	10
11	12	13 GRIST	14	15	16	17
18	19	20 GRIST	21	22	23	24
25	26	27 GRIST	28 240 DAYS AFTER FILING	29	30	

Sun	Mon	Tue	Wed	Thu	Fri	Sat
OCTOBER 2011						
2	3	4 GRIST	5	6	7	8
9	10 Holiday	11	12 GRIST	13	14	15
16	17	18 GRIST	19	20	21	22
23	24	25 GRIST	26	27	28 270 DAYS AFTER FILING	29
30	31					

Sun	Mon	Tue	Wed	Thu	Fri	Sat
NOVEMBER 2011						
		1 GRIST	2	3	4	5
6	7	8 GRIST	9	10	11 Holiday	12
13	14	15 GRIST	16 NARUC San Francisco, CA	17 NARUC San Francisco, CA	18 NARUC San Francisco, CA	19 NARUC San Francisco, CA
20	21	22 GRIST	23	24 Holiday	25 Holiday	26
27	28	29 GRIST	30			

Sun	Mon	Tue	Wed	Thu	Fri	Sat
DECEMBER 2011						
				1	2	3
4	5	6 GRIST	7	8	9	10
11	12	13 GRIST	14	15	16	17
18	19	20 GRIST	21	22	23	24
25	26	27	28 GRIST	29	30	31
	Holiday					

Application No. NG-0063/PI-173
Progression Order No. 1

Page 1

APPENDIX C

Proposed Natural Gas Rate Filing Requirements

Staff would propose the adoption of filing requirements generally described below. These include the current requirements set forth in current rules. Staff would further propose that all general rate filings be submitted in a prescribed format to allow for more efficient review and consistency.

Applicant shall provide all **workpapers** used to prepare the analysis and data submitted in support of application and any **source documents** used in the preparation of the filing including but not limited to contracts, internal reports, etc. Such **workpapers** and **source documents** should be made available in electronic format.

GENERAL RATE FILINGS

SECTION 1 - Application:

1. A description of the base year and test year;
2. General information: proposed revenue increase; number/classification of affected consumers; average per dollar increase; reasons for proposing increase.
3. A financial summary showing aggregate amounts for rate base, operating expenses, and rate of return for the base year and test year, plus operating revenue calculated using natural gas rates currently in effect and as proposed.
4. Diagram or other description of corporate structure and affiliates.
5. Financial statements for the most recent fiscal year
6. The most recent annual report to stockholders.
7. A list of witnesses and subjects on which they provide testimony.

Application No. NG-0063/PI-173

Page 2

Progression Order No. 1

Appendix C

SECTION 2 - Rate Base Schedules

1. Rate-base schedules showing beginning and ending balances for the base year and test year of:
 - a. Utility plant and accumulated depreciation and amortization showing the balances by functional account totals;
 - b. Working capital, showing the manner in which it is calculated;
 - c. Other rate-base components; and
2. Allocated rate-base components showing the manner in which the components are calculated;
3. Construction Work in Progress including a description of the nature and location of the project; budgeted cost; actual expenditures to date; expected completion date and any revenue to be generated from the project.

SECTION 3 - Schedules outlining Operating Expenses

1. Operating expense schedules for the base year and test year;
2. Legislative advocacy expenses sought in the application, whether made directly or indirectly, including but not limited to, legislative advocacy expenses included in professional or trade association dues;
3. Funds expended in support of or in opposition to political candidates and sought in the application;
4. Funds expended in promotion of or in opposition to political or religious causes and sought in the application; and
5. Funds expended in support of or membership in social, recreational, fraternal, or religious clubs or organizations.
6. Cost allocation manuals, if used.
7. Schedules detailing Affiliate Transactions.